## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

OLUSOLA SHODIYA,

Plaintiff,

CIVIL ACTION

v.

No. 09-cv-2698

LIEUTENANT LACK, Individually : and as Officer at Curran-Fromhold : Correctional Facility, WARDEN : CLYDE GAINEY, C.F.C.F. PRISON, : and PRISON HEALTH SERVICES, :

Defendants.

SEP 3 ZUU9

MICHAELE Russe, clerk By Dop. Clerk

## ORDER

AND NOW, this day of September, 2009, upon consideration of Defendant's Motion to Dismiss, or alternatively for Summary Judgment (Doc. No. 8), and responses thereto, for the reasons set forth in the attached Memorandum, it is hereby ORDERED that the Motion is GRANTED.

BY THE COURT:

CURTIS JOYNER,